IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

OP.No. 11552 of 2003(A)

PETITIONER:

K.K.DAMODARAN, AGED:
MALEMUZHIYIL, CHENNERKARA P.O.,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.PHILIP MATHEW
SRI.N.KTHANKACHAN

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY SECRETARY DEPARTMENT OF HOME,
   KERALA GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **SUPERINTENDENT OF POLICE,**
   PATHANAMTHITTA.

3. **DEPUTY SUPERINTENDENT OF POLICE,**
   PATHANAMTHITTA.

4. **CIRCLE INSPECTOR OF POLICE,**
   PATHANAMTHITTA.

5. **RAVI, JATHAKUZHIYIL HOUSE,**
   VETTOOR P.O., KUMBAZHA.

6. **OMANA, JATHAKUZHIYIL HOUSE,**
   VETTOOR P.O., KUMBAZHA.

BY PUBLIC PROSECUTOR
SRI.PHILIP M.VARUGHESE
BY GOVERNMENT PLEADER SMT.SMITHA BABU

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 11/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.19795/2003 IN OP. NO.11552/2003

DISMISSED

11.12.2006 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PETITION SUBMITTED BY PETITIONER TO THE CHIEF MINISTER OF KERALA DT. 5.3.02.

EXT.P2:- COPY OF THE COMPLAINT SUBMITTED BY PETITIONER TO THE CI OF POLICE PATHANAMTHITTA.

EXT.P3:- COPY OF THE REPRESENTATION SUBMITTED BY PETITIONER TO THE CI OF POLICE, PATHANAMTHITTA DT.11.11.02.

5TH RESPONDENTS EXHIBITS

EXT.R5(a):- COPY OF THE MEDICAL BILL ISSUED FROM THE PANDALAM N.S.S. MEDICAL MISSION HOSPITAL DT.23.1.2002.

EXT.R5(b):- COPY OF THE DISCHARGE CERTIFICATE ISSUED TO M.D.RAJU FROM DISHA POLY CLINIC & NURSING HOME DT. NIL.

EXT.R5(c):- COPY OF THE ADVERTISEMENT IN CR.NO.55/02 REGARDING MAN MISSING RELATING TO M.D.RAJU.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P. NO. 11552 OF 2003

Dated this the 11th day of December, 2006

J U D G M E N T

The original petition is filed mainly with the following prayer:-

> "(i) To issue a writ of mandamus or other appropriate writ, order or direction commanding respondents 1 to 4 to register a Crime against respondents 5 and 6 based on Exhibits P1 to P3 and to take appropriate action against them in accordance with law."

It is seen that Crime No.55/02 has already been registered by the Gundikal Railway Police. Since Sri. Raju, son of the petitioner, was found missing within the jurisdiction of that Police Station the police had to take action as above. In case the petitioner has still any grievance left it is for the petitioner to pursue the matter before the appropriate forum.

KURIAN JOSEPH, JUDGE

vps

KURIAN JOSEPH, JUDGE

OP NO.11552/03

JUDGMENT

11th DECEMBER, 2006